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Attorney Docket No. P106-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re the application of: Tarn

Group Art Unit: 3766

Serial Number: 10/698,656

Examiner: Mandala, Victor

Filed: October 30, 2003

Title: **DEVICE PACKAGE WITH LOW STRESS ASSEMBLY PROCESS**RESPONSE TO THE RESTRICTION REQUIREMENT DATED JUNE 28, 2004Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

An election of species requirement dated June 28, 2004 has been received and carefully considered. Applicant respectfully submits that the election requirement was improperly made. However, if required to elect one of the species (species I to IX) listed by the Examiner in the Office Action, the applicant hereby elects species III, figures 3a and 3b. It is difficult to say which subset of claims corresponds with the pending claims – it is believed that all the claims correspond. However, if the Examiner believes otherwise, he is requested to contact the undersigned – the undersigned will be happy to select a subgroup of claims, but presently is not sure how to do so. For the reasons below, this election, at least with respect to the claims as now pending, is with traverse; reconsideration and withdrawn of the election requirement are respectfully requested.

The present invention is directed to a packaged microelectromechanical device having a substrate (e.g. substrate 106 in each and every figure of figures 2 to 6) within the package and a method of packaging the device by using the same. The present invention is independent of the particular package used for packaging the device. The types of packages as illustrated in all of the figures are exemplary embodiments of the invention, but should not be interpreted as limitations to the present invention. Any suitable package will suffice in the present invention.

Attorney Docket No. P106-US

For clarifying and better presenting the invention, independent claims 1 and 35 have been amended. Claims 1 and 35 are now not limited to any particular package.

350 POTRERO AVENUE
SUNNYVALE, CA 94085
TEL: (408) 737-8100
FAX: (408) 737-8153

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To: Victor MANDALA From: Gregory MUR
Fax: 703-872-9306 Pages: 10
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